

**UNITED STATES DISTRICT COURT
District of Massachusetts**

National Evaluation Systems Inc.

Index # 05-30081-KPN

against

NES, LLC

Affidavit of Service

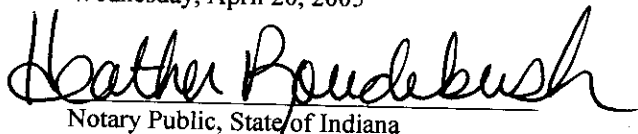
I, **Dan Gardner** being duly sworn according to law upon my oath, depose and say, that deponent is not a party to this action, is over 18 years of age and resides in Bloomington, Indiana.

That on **April 14, 2005 at 3:40 PM**, deponent served the within named **Summons and Complaint** upon **NES, LLC**, therein named. Said service was effected at **NES, LLC, National Educational Services, 304 W. Kirkwood, Bloomington, IN 47404**, in the following manner;

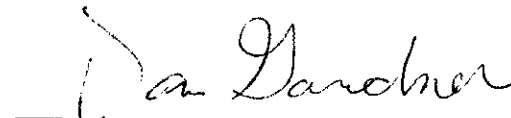
A domestic/foreign corporation , by delivering thereat a true copy of each to **Jeffrey C. Jones** personally; deponent knew said corporation so served to be the corporation described as **NES, LLC** and knew said individual to be the **President** thereof, an authorized person to accept service of process.

I certify that the foregoing statements made by me are true, correct and my free act and deed. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Sworn to before me on
Wednesday, April 20, 2005

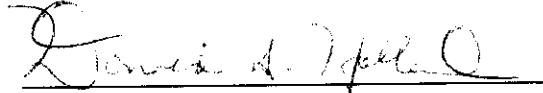

Notary Public, State of Indiana

**HEATHER L. ROUBESH
NOTARY PUBLIC STATE OF INDIANA
MARION COUNTY
MY COMMISSION EXP. JULY 19, 2009**


Dan Gardner, Process Server

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing "Affidavit of Service of the Summons and Complaint" has been served, via first-class mail, on this 5th day of May 2005 to: Lana C. Marina, Esq., Winston & Strawn, LLP, 200 Park Avenue, New York, NY 10166-4193.

A handwritten signature in black ink, appearing to read "Donald S. Holland", is written over a horizontal line.

Donald S. Holland, Esq.
BBO No. 238120
HOLLAND & BONZAGNI, P.C.
171 Dwight Road
Longmeadow, MA 01106
(413) 567-2076
DSH@hblaw.org
Counsel for Plaintiff

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